

# **Exhibit 38**

STATE OF TEXAS, ET AL. v. UNITED STATES OF AMERICA, ET AL.  
Ike Brannon on 06/26/2018

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

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)  
)  
STATE OF TEXAS, et al., )  
)  
Plaintiffs, )  
v ) Case No.  
) 1:18cv00068  
UNITED STATES OF AMERICA, et al., )  
)  
Defendants, )  
)  
and )  
)  
KARLA PEREZ, et al., )  
)  
Defendant-intervenors. )  
-----x

DEPOSITION OF IKE BRANNON

Washington, D C

Tuesday, June 26, 2018

1:56 p.m.

Job No.: 207169

Pages: 1 - 138

Reported by: Donna Marie Lewis, RPR, CSR (HI)

STATE OF TEXAS, ET AL. v. UNITED STATES OF AMERICA, ET AL.  
Ike Brannon on 06/26/2018

Page 2

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KARLA PEREZ, et al., )  
)  
Defendant-intervenors. )  
-----x

Deposition of IKE BRANNON, held at Regus  
Business Center, 2200 Pennsylvania Avenue, NW, 4th  
Floor East, Washington, D C 20037, pursuant to  
Notice, before Donna Marie Lewis, Registered  
Professional Reporter and Notary Public of and for  
the District of Columbia.

STATE OF TEXAS, ET AL. v. UNITED STATES OF AMERICA, ET AL.  
Ike Brannon on 06/26/2018

Page 3

1 A P P E A R A N C E S

2 ON BEHALF OF PLAINTIFFS:

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11 ON BEHALF OF DEFENDANTS:

12 UNITED STATES DEPARTMENT OF JUSTICE  
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22

STATE OF TEXAS, ET AL. v. UNITED STATES OF AMERICA, ET AL.  
Ike Brannon on 06/26/2018

Page 4

1 APPEARANCES: (Continued)

2 ON BEHALF OF THE WITNESS:

3 STATE OF NEW JERSEY  
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STATE OF TEXAS, ET AL. v. UNITED STATES OF AMERICA, ET AL.  
Ike Brannon on 06/26/2018

Page 95

1 million. It would have an impact on the labor  
2 market if -- a more severe impact on the labor  
3 market of low income people if they had 700,000  
4 more people to compete with.

5 Q Because it would increase competition  
6 for those individuals, correct?

7 A It would.

8 Q How many DACA recipients are you aware  
9 of that you would consider low skilled?

10 A Well, two-thirds since -- we estimate  
11 two-thirds are going to have some kind of college,  
12 so at most it's going to be one-third or less.

13 Q So one-third or less would be considered  
14 low skilled, for lack of a better phrase?

15 A Yeah. And probably a little bit less  
16 than that, yeah.

17 Q That one-third, that would increase  
18 competition with other people who are citizens who  
19 are also competing for those low skilled jobs,  
20 correct?

21 A That's right. But since these workers  
22 are relatively mobile, we would argue that they

STATE OF TEXAS, ET AL. v. UNITED STATES OF AMERICA, ET AL.  
Ike Brannon on 06/26/2018

Page 96

1 would have relatively low impact on their wages.

2 Q But an impact nonetheless, correct?

3 A Correct.

4 MR. BIGGS: All right. Let's actually  
5 take five minutes, if that's okay.

6 THE WITNESS: Sure.

7 MR. BIGGS: I think I'm getting close to  
8 being done. We will get you out of here -- well,  
9 subject to anybody else asking you questions.

10 THE WITNESS: That's great.

11 MR. GOLDSMITH: I will have some  
12 questions.

13 (The proceedings recessed from 3:50 p.m.  
14 to 3:59 p.m.)

15 (Exhibit No. 2 was marked for  
16 identification.)

17 BY MR. BIGGS:

18 Q I hand you what is marked as Exhibit 2  
19 to your deposition. I actually might be one  
20 short. I apologize for that.

21 Sir, have you seen Exhibit 1 before --  
22 or Exhibit 2 before?

STATE OF TEXAS, ET AL. v. UNITED STATES OF AMERICA, ET AL.  
Ike Brannon on 06/26/2018

Page 138

1 REPORTER'S CERTIFICATE

2 I, DONNA M. LEWIS, RPR, Certified

3 Shorthand Reporter, certify;

4 That the foregoing proceedings were  
5 taken before me at the time and place therein set  
6 forth, at which time the witness, Ike Brannon, was  
7 put under oath by me;

8 That the testimony of the witness, the  
9 questions propounded and all objections and  
10 statements made at the time of the examination  
11 were recorded stenographically by me and were  
12 thereafter transcribed;

13 I declare that I am not of counsel to  
14 any of the parties, nor in any way interested in  
15 the outcome of this action.

16 As witness, my hand and notary seal this  
17 28th day of June, 2018.

18

19



20

Donna M. Lewis, RPR  
Notary Public

21

22 My Commission expires:  
March 14, 2023